

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

*Emmitt Grier Jr.* )  
vs. *Civil Action: 05-0005 Erie*  
*Commonwealth of Pennsylvania* )

***NOTICE OF INABILITY OF EFFECTUATE SERVICE***

*The Under signed Hereby certified that on 08/10/05, the Order and Complaint in the above captioned case, and the Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons were mailed to the above named defendant. No acknowledgment of service has been received, and more than 30 days has elapsed.*

*Thomas M. Fitzgerald*  
*United States Marshal*  
*Western District of Pennsylvania*

By: *Sheila Blessing*  
Administrative Clerk  
United States Marshals Service  
Western District of Pennsylvania  
September 15, 2005

## ORDER

AND NOW, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, upon consideration of the foregoing Notice of Inability to Effectuate Service,

*IT IS ORDERED that the Clerk of Court prepare duplicate Summons and Complaint,*

***AND IT IS FURTHER ORDERED*** that the United States Marshal make personal service of those documents upon the above named defendant.